

REMARKS

In response to the Office Action dated November 28, 2005, claims 65, 94, and 96 have been amended and new claim 140 has been added. No new matter has been added. Reexamination and reconsideration of the claims as requested is respectfully requested. An RCE continuation has been filed.

Claims 94 and 95 contained a typographical error pointed out by the examiner. The amendment hereto should put them in condition for allowance.

In paragraph 6 on page 3 of the Office Action, claims 65, 66, 69, 70, 72-83, 87-91, and 96-121 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Eldridge, et al. (U.S. Patent No. 6,482,013) in view of Khandros et al. (U.S. Patent No. 5,900,738). The Applicants respectfully traverse this rejection, but have amended the application to overcome the objections.

Claims 65 and 96 have been amended to make clear that the Eldridge reference is inapplicable, though it is submitted that the examiner has overextended the meaning of its disclosure.

It is clear that the said distal ends freely of the probes in Eldridge do not extend away from said supporting body, *leaving said distal ends free to contact a sample unsupported by said supporting body*. Indeed, the Eldridge reference singularly teaches that the probes are always adjacent the supporting body because the test unit will be under sandwiched in between. The present invention, such as the embodiment illustrated in figure 7, is capable of approaching a test unit without regard to the body supporting the probes. This gives this invention to test units in a multitude of orientations.

It is further submitted that the asserted combination of Khandros and Eldridge is improper. Fig. 12 of Khandros only shows a single flexible element, not a multitude and there is no practical way to redesign Khandros to be a multi-probe. Furthermore, there is nothing contained in its disclosure which would encourage such a radical redesign. Adding Eldridge would involve the conversion of the flexible elongated element 192 of Khandros and also integrating the metallic guarding electrodes into the surface of the substrate 102. This is quite a stretch to be derived from a reference which is silent on this point. Furthermore, the second multitude of electrodes is not present in figure 12 of

Khandros since the elongated flexible element 192 has only one end connected to a body on the substrate 102 and therefore cannot be considered positioned on a second multitude of areas on the first surface of the supporting body.

Arguments with respect to the many dependent claims were submitted in the prior response and remain applicable but are not reiterated here. Reference should be had to the prior response in view of the claim amendments.

CONCLUSION

In view of the amendments and reasons provided above, it is believed that all pending claims are in condition for allowance. The amendments clarify the patentable invention without adding new subject matter. Applicants respectfully request favorable reconsideration and early allowance of all pending claims.

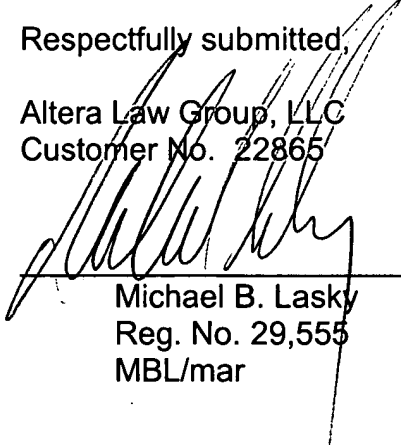
If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' attorney of record, Michael B. Lasky at (952) 253-4106.

Respectfully submitted,

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